

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	3

MR. SPEAKER:

*Your Committee on Public Policy, to which was referred House Bill 1510, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 17, after "organization" insert ".".
- 2 Page 2, between lines 16 and 17, begin a new paragraph and insert:
- 3 "SECTION 3. IC 4-32.2-2-18.5 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2007]: **Sec. 18.5. "Full-time employee"**
- 6 **means an individual who:**
- 7 **(1) is and has been employed by a particular qualified**
- 8 **organization for at least ninety (90) consecutive days as of the**
- 9 **date of the qualified organization's allowable event; and**
- 10 **(2) works at least an average of thirty-two (32) hours per**
- 11 **week or one thousand six hundred sixty-two (1,662) hours per**
- 12 **year for the qualified organization."**
- 13 Page 6, line 5, delete "newspapers" and insert "**one (1) newspaper**".
- 14 Page 6, line 6, delete "located, as provided in IC 5-3-1-6." and insert

1 **"located."**

2 Page 6, line 7, delete "daily".

3 Page 6, line 39, after "if" insert **"either of"**.

4 Page 7, line 12, delete "(h)".

5 Page 7, line 12, strike "If the commission is required to hold a
6 public hearing on an".

7 Page 7, strike lines 13 through 15.

8 Page 7, delete lines 28 through 42.

9 Page 8, delete lines 1 through 3, begin a new paragraph and insert:

10 **"(b) The commission may hold a public hearing to obtain input**
11 **on the proposed issuance of an annual charity game night license**
12 **to an applicant that has never held an annual charity game night**
13 **license under this article.**

14 **(c) The first time that a qualified organization applies for an**
15 **annual bingo license, the qualified organization shall publish notice**
16 **that the application has been filed by publication at least two (2)**
17 **times, seven (7) days apart, as follows:**

18 **(1) In one (1) newspaper in the county where the qualified**
19 **organization is located.**

20 **(2) In one (1) newspaper in the county where the allowable**
21 **events will be conducted.**

22 **(d) The notification required by subsection (c) must contain the**
23 **following:**

24 **(1) The name of the qualified organization and the fact that it**
25 **has applied for an annual charity game night license.**

26 **(2) The location where the charity game night events will be**
27 **held.**

28 **(3) The names of the operator and officers of the qualified**
29 **organization.**

30 **(4) A statement that any person can protest the proposed**
31 **issuance of the annual charity game night license.**

32 **(5) A statement that the commission shall hold a public**
33 **hearing if ten (10) written and signed protest letters are**
34 **received by the commission.**

35 **(6) The address of the commission where correspondence**
36 **concerning the application may be sent.**

37 **(e) If the commission receives at least ten (10) protest letters, the**
38 **commission shall hold a public hearing in accordance with**

1 **IC 5-14-1.5. The commission shall issue a license or deny the**
 2 **application not later than sixty (60) days after the date of the**
 3 **public hearing.**

4 **(f) A license issued under this section:**

5 **(1) may authorize the qualified organization to conduct**
 6 **charity game night events on more than one (1) occasion**
 7 **during a period of one (1) year;**

8 **(2) must state the locations of the permitted charity game**
 9 **night events;**

10 **(3) must state the expiration date of the license; and**

11 **(4) may be reissued annually upon the submission of an**
 12 **application for reissuance on the form established by the**
 13 **commission and upon the licensee's payment of a fee set by**
 14 **the commission.**

15 **(g) Notwithstanding subsection (f)(4), the commission shall hold**
 16 **a public hearing for the reissuance of an annual charity game night**
 17 **license if either of the following conditions is met:**

18 **(1) An applicant has been cited for a violation of law or a rule**
 19 **of the commission.**

20 **(2) The commission receives at least ten (10) protest letters**
 21 **concerning the qualified organization's charity game night**
 22 **operation."**

23 Page 10, line 21, delete "A" and insert **"Except as provided in**
 24 **IC 4-32.2-5-6(c), a"**.

25 Page 10, line 22, after "year" insert ".".

26 Page 10, line 22, strike "at which bingo events, charity game nights,
 27 raffle".

28 Page 10, line 23, strike "events,".

29 Page 10, line 23, strike "door prize events,".

30 Page 10, line 23, delete "or other gambling events licensed".

31 Page 10, line 24, delete "under section 16 of this chapter".

32 Page 10, line 24, strike "are conducted and pull tabs,".

33 Page 10, strike line 25.

34 Page 10, line 33, after "conduct" insert **"raffle events and"**.

35 Page 11, between lines 4 and 5, begin a new paragraph and insert:

36 "SECTION 20. IC 4-32.2-4-14, AS ADDED BY P.L.91-2006,
 37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2007]: Sec. 14. A qualified organization may hold more than

one (1) license at a time. However, a qualified organization with multiple licenses may not hold a bingo event and raffle at the same event or at the same time and place unless, by express determination, the commission allows a qualified organization to do so. The commission may allow a qualified organization to conduct only one (1) event each year at which both bingo and a raffle may be held."

Page 12, between lines 3 and 4, begin a new paragraph and insert:

"(d) The application for an annual PPT license must contain the following:

(1) The name of the qualified organization.

(2) The location where the qualified organization will sell pull tabs, punchboards, and tip boards.

(3) The names of the operator and the officers of the qualified organization."

Page 12, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 23. IC 4-32.2-5-3, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) All net proceeds from an allowable event and related activities may be used only for the lawful purposes of the qualified organization.

(b) To determine the net proceeds from an allowable event, a qualified organization shall subtract the following from the gross receipts received from the allowable event:

(1) An amount equal to the total value of the prizes, including door prizes, awarded at the allowable event.

(2) The sum of the purchase prices paid for licensed supplies dispensed at the allowable event.

(3) An amount equal to the qualified organization's license fees attributable to the allowable event.

(4) An amount equal to the advertising expenses incurred by the qualified organization to promote the allowable event.

(5) An amount not to exceed two hundred dollars (\$200) per day for rent paid for facilities leased for an allowable event."

Page 12, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 24. IC 4-32.2-5-8, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) Except as provided in subsection (d); If facilities are leased for an allowable event, the rent may not

(1) be based in whole or in part on the revenue generated from the event. or

(2) exceed two hundred dollars (\$200) per day.

(b) A facility may not be rented for more than three (3) days during a calendar week for an allowable event.

(c) If personal property is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event.

(d) If a qualified organization conducts an allowable event in conjunction with or at the same facility where the qualified organization or its affiliate is having a convention or other meeting of its membership, facility rent for the allowable event may exceed two hundred dollars (\$200) per day. A qualified organization may conduct only one (1) allowable event under this subsection in a calendar year.

SECTION 25. IC 4-32.2-5-12, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) Except as provided in subsection (b), an operator or a worker **who is not a full-time employee** may not receive remuneration for:

(1) preparing for;

(2) (1) conducting; or

(3) (2) assisting in conducting;

(4) cleaning up after; or

(5) taking any other action in connection with;

an allowable event.

(b) A qualified organization that conducts an allowable event may:

(1) provide meals for the operators and workers during the allowable event; and

(2) provide recognition dinners and social events for the operators and workers;

if the value of the meals and social events does not constitute a significant inducement to participate in the conduct of the allowable event.

SECTION 26. IC 4-32.2-5-16, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) Except as provided in subsection (b), a worker must be a member in good standing of a qualified organization that is conducting an allowable event for at least thirty (30) days at the

1 time of the allowable event.

2 (b) A qualified organization may allow an individual who is not a
 3 member of the qualified organization to participate in an allowable
 4 event as a worker if **the individual is a full-time employee of the**
 5 **qualified organization that is conducting the allowable event or if:**

6 (1) the individual is a member of another qualified organization;
 7 and

8 (2) the individual's participation is approved by the commission.

9 A qualified organization may apply to the commission on a form
 10 prescribed by the commission for approval of the participation of a
 11 nonmember under this subsection. A qualified organization may share
 12 the proceeds of an allowable event with the qualified organization in
 13 which a worker participating in the allowable event under this
 14 subsection is a member. The tasks that will be performed by an
 15 individual participating in an allowable event under this subsection and
 16 the amounts shared with the individual's qualified organization must be
 17 described in the application and approved by the commission.

18 (c) For purposes of:

19 (1) the licensing requirements of this article; and

20 (2) section 9 of this chapter;

21 a qualified organization that receives a share of the proceeds of an
 22 allowable event described in subsection (b) is not considered to be
 23 conducting an allowable event."

24 Page 15, line 21, delete "8" and insert "8."

25 Page 15, after line 25, begin a new paragraph and insert:

26 "SECTION 30. IC 4-32.2-5-7 IS REPEALED [EFFECTIVE JULY
 27 1, 2007]."

28 Renumber all SECTIONS consecutively.

(Reference is to HB 1510 as introduced.)

and when so amended that said bill do pass.

Representative Van Haaften